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September 14, 2004

**FACSIMILE COVER LETTER**

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Number of Pages Including Cover Letter: 12

From: Richard C. Gilmore

Docket: 15499.450.2

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Serial No.: 10/789,859

Docket: 15499.450.2

CERTIFICATE OF TRANSMISSION BY FACSIMILE  
703-746-4060

Date of Fax: September 14, 2004

I hereby certify that the following documents are being transmitted by facsimile:

- Response to Notice of Missing Parts (3 pgs.);
- Notice of Missing Parts (2 pgs.);
- Declaration (4 pgs.);
- PTO 2038 Credit Card Form (1 pg.);
- Certificate of Transmission by Facsimile (1 pg.)

Respectfully submitted,

RICHARD C. GILMORE  
Attorney for Applicant  
Registration No. 37,335

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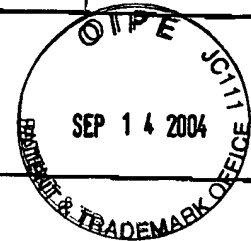
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**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Large Entity)**Docket No.  
15499.450.2

In Re Application Of: Ashby, et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/789,859	02/27/04	Unknown	22,913	3637	8490

Invention: TABLE WITH DRAWER

**Mail Stop Missing Parts****COMMISSIONER FOR PATENTS:**

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on  
May 25, 2004  
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). (REQUIRED)
- ☒ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☐ A properly signed oath or declaration in compliance with 37 CFR 1.63.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☒ Other (list):

PTO 2038 CREDIT CARD FORM

09/16/2004 MAILMED1 00000032 10789859

02 FC:1252

420.00 0P

**Response To Notice To File Missing Parts Of Application**  
**Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.  
15499.450.2

In Re Application Of: Ashby, et al.

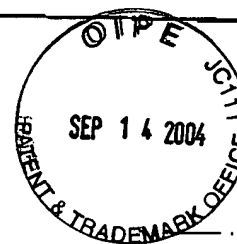
Application No. 10/789,859	Filing Date 02/27/04	Examiner Unknown	Customer No. 22,913	Group Art Unit 3637	Confirmation No. 8490
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Invention: TABLE WITH DRAWER

TO THE COMMISSIONER FOR PATENTS:Mail Stop Missing Parts☒ Completion of application fees as calculated below:☐ Utility application filing fee☐ Design application filing fee☐ Total number of independent claims = \_\_\_\_\_☐ Total number of claims = \_\_\_\_\_☐ Multiple dependent claims☒ Surcharge for late payment of filing fee and/or late filing of original declaration or oath \$130.00☐ Petition and fee for filing by other than all the inventors or a person not the inventor☐ Fee for processing an application filed with a non-English language specification☐ Fee for processing and retention of applicationTotal completion of application fees \$130.00

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ One month    ☒ Two months    ☐ Three months    ☐ Four months    ☐ Five months

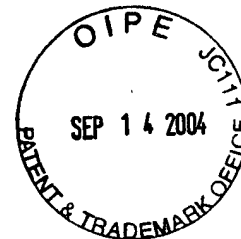
from: July 25, 2004    until: September 25, 2004  
Date Date
Total time extension fees \$420.00Total fees due \$550.00

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533) (Large Entity)**Docket No.  
15499.450.2

In Re Application Of: Ashby, et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/789,859	02/27/04	Unknown	22,913	3637	8490

Invention: TABLE WITH DRAWER

TO THE COMMISSIONER FOR PATENTS:Mail Stop Missing Parts

The fee of \$550.00 is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 23-3178
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 23-3178
- ☒ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

  
Signature

**RICHARD C. GILMORE**  
Reg. No. 37,335  
Attorney for Applicant

Dated: September 14, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 C.F.R. 1.8(a)] on  
(Date)

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

CC:



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1410  
Alexandria, Virginia 22313-1410  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/789,859	02/27/2004	Kent Ashby	15499.450.2

22913

WORKMAN NYDEGGER (F/K/A WORKMAN NYDEGGER & SEELEY)  
60 EAST SOUTH TEMPLE  
1000 EAGLE GATE TOWER  
SALT LAKE CITY, UT 84111

CONFIRMATION NO. 8490

## FORMALITIES LETTER

OC000000012775118\*

Date Mailed: 05/25/2004



## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - More than one figure is present and each figure is not labeled "Fig." with a consecutive Arabic numeral (1, 2, etc.) or an Arabic numeral and capital letter in the English alphabet (A, B, etc.)(see 37 CFR 1.84(u)(1)). See Figure(s) 5.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

09/16/2004 MAHNE1 00000032 10789859

01 FC:1051

130.00 DP

**BEST AVAILABLE COPY**

SEP-14-2004 TUE 02:33 PM WORKMAN NYDEGGER

FAX NO. 8013281707

P. 08/12

Page 2 of 2

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

PAISAWONG  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE